DJG

DISTRICT OF COLUMBIA

STATEHOOD CONSTITUTIONAL CONVENTION

Saturday, April 17, 1982
12:28 o'clock p.m.

Auditorium, 9th Floor
929 E Street, N.W.
Washington, D.C. 20004

Presiding Officers:

Mr. Charles I. Cassell, President
Mr. James W. Baldwin, First Vice President
Ms. Janette Hoston Harris, Second Vice President
Mr. William Cooper, Secretary

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PROCEEDINGS

PRESIDENT CASSELL: The convention will come to order, please. We will have meditation.

[Pause for silent meditation.]

The secretary will call the roll.

SECRETARY COOPER: Delegate Baldwin.

DELEGATE BALDWIN: Here.

SECRETARY COOPER: Delegate Barnes.

DELEGATE BARNES: Here.

SECRETARY COOPER: Delegate Blount.

DELEGATE BLOUNT: Present.

SECRETARY COOPER: Delegate Bruning.

DELEGATE BRUNING: Here.

SECRETARY COOPER: Delegate Cassell.

PRESIDENT CASSELL: Present.

SECRETARY COOPER: Delegate Clarke. [No response]

Delegate Coates. [No response]

Delegate Cooper. Present.

Delegate Corn.

DELEGATE CORN: Present.

SECRETARY COOPER: Delegate Croft. [No response]

Delegate Eichhorn. [No response]

Delegate Feely. [No response]

Delegate Freeman. [No response]

Delegate Garner.

DELEGATE GARNER: Here.

SECRETARY COOPER: Delegate Graham.

DELEGATE GRAHAM: Here.

SECRETARY COOPER: Delegate Harris.

DELEGATE HARRIS: Here.

SECRETARY COOPER: Delegate Holmes.

DELEGATE HOLMES: Here.

SECRETARY COOPER: Delegate Jackson.

DELEGATE JACKSON: Present.

SECRETARY COOPER: Delegate Johnson. [No response]

Delegate Jones.

DELEGATE JONES: Here.

SECRETARY COOPER: Delegate Jordan.

DELEGATE JORDAN: Here.

SECRETARY COOPER: Delegate Kameny. [No response]

Delegate Lockridge. [No response]

Delegate Long.

DELEGATE LONG: Here.

SECRETARY COOPER: Delegate Love. [No response]

Delegate Maguire.

DELEGATE MAGUIRE: Here.

SECRETARY COOPER: Delegate Marcus.

DELEGATE MARCUS: Present.

SECRETARY COOPER: Delegate Charles Mason.

DELEGATE C. MASON: Here.

SECRETARY COOPER: Delegate Hilda Mason.

DELEGATE H. MASON: Present.

SECRETARY COOPER: Delegate Bian Moore.

DELEGATE B. MOORE: Present.

SECRETARY COOPER: Delegate Jerry Moore.

[No response]

Delegate Talmadge Moore.

DELEGATE T. MOORE: Here.

SECRETARY COOPER: Delegate Nahikian. [No response]

Delegate Nixon.

DELEGATE NIXON: Here.

SECRETARY COOPER: Delegate Oulahan. [No response]

Delegate Paramore. [No response]

Delegate Robinson. [No response]

Delegate Rothschild. [No response]

Delegate Schrag.

DELEGATE SCHRAG: Here.

SECRETARY COOPER: Delegate Shelton.

DELEGATE SHELTON: Present.

SECRETARY COOPER: Delegate Simmons. [No response] Delegate Street.

DELEGATE STREET: Here.

SECRETARY COOPER: Delegate Terrell.

DELEGATE TERRELL: Here.

SECRETARY COOPER: Delegate Thomas.

DELEGATE THOMAS: Here.

SECRETARY COOPER: Delegate Warren.

DELEGATE WARREN: Here.

SECRETARY COOPER: Delegate Clarke. [No response] Delegate Coates. [No response] Delegate Croft. [No response] Delegate Eichhorn. [No response] Delegate Feely. [No response] Delegate Freeman. [No response] Delegate Johnson. [No response] Delegate Kameny. [No response] Delegate Lockridge. [No response] Delegate Love. [No response] Delegate Jerry Moore. [No response] Delegate Nahikian. [No response] Delegate Oulahan. [No response] Delegate Paramore. [No response]

Delegate Robinson. [No response]

Delegate Rothschild. [No response]

Delegate Simmons. [No response]

Mr. President, there are 28 delegates present.

PRESIDENT CASSELL: All right. The convention is in session. There are 28 delegates present. As you know, today we are going to have an address by two individuals, the mayor, Mayor Marion Barry, and Congressman John Conyers of the United States Congress. In light of the fact that as usual we're a bit late assembling, we have asked the mayor if he would arrive at 1:00 o'clock rather than 12:00 o'clock, which is usually ourmeeting time. We will then go on to the rest of the business, and that is the approval of the minutes. May I have a motion to approve the minutes?

DELEGATE HARRIS: Mr. President, I move that we approve the minutes.

PRESIDENT CASSELL: Is there a second to that?

DELEGATE STREET: Second.

PRESIDENT CASSELL: It has been moved and seconded that we approve the minutes. Is there any discussion, any corrections?

DELEGATE CORN: Could you give us a minute, please?

PRESIDENT CASSELL: Okay, are you ready for the vote on the minutes?

DELEGATE CORN: No.

PRESIDENT CASSELL: All those in favor, signify by saying, "Aye." [Response]

Opposed? [Silence]

Abstained? [One abstention]

The minutes are approved.

Does anyone have any announcements that relate to the convention or any of its business that we'd like to make for the benefit of the community? Miss Maguire.

DELEGATE MAGUIRE: I'd just like to announce that there's coffee and what not in the back for the delegates, and donations can be made to me.

PRESIDENT CASSELL: Did everybody hear that? Coffee for the delegates in the back. And you are requested to make donations to cover the cost of providing same.

May I have a motion to adopt the agenda for today? Delegate Blount.

DELEGATE BLOUNT: Mr. Chairman, I move the adoption of the agenda for today.

DELEGATE STREET: Second.

PRESIDENT CASSELL: It has been moved and seconded that we adopt the agenda for today. Discussion? Delegate Long.

DELEGATE LONG: Mr. Chairman, we have two exceedingly pressing items which are going to come up today. One is the report of the ad hoc committee on the statehood compact commission. The other is a proposal by the rules and calendar committee for fixing the calendar for the final days of the convention. I would like to move that those items be placed after the president's report. If we have difficulty, when we leave those items to the end of the day, we tend to lose our quorum and cannot take action.

PRESIDENT CASSELL: Delegate Long, can I ask if you would revise that to include it after the treasurer's report? The committee reports are usually the lengthy things. The secretary's report is always very brief. The treasurer needs to let us know where we stand regarding the reallocation of our funds. And that is not a long report either.

DELEGATE LONG: I will so move.

A DELEGATE: Second.

SECRETARY COOPER: I'd like to add some information in case the delegation did forget. It may not be necessary to add the agenda item for the action on some of those amendments to the rules because we have a special order that will take effect as soon as we have two-thirds of the delegates here, as we voted on last week, to act on those rules.

PRESIDENT CASSELL: I think the motion is still in order. If it turns out that it isn't necessary, then so be it. It has been moved and seconded that the report of the ad hoc committee on the statehood compact commission, the statehood commission, and the committee on rules and calendar be moved to that position right after the president's report. All those in favor of that motion, signify by saying, "Aye." [Response]

Those opposed? [Silence]

Abstained? [No abstentions]

The motion carried.

The next item on the agenda is the president's report. The first item is the executive committee report. The executive committee met this morning to discuss several issues that are of extreme importance to the convention. And let me indicate to you what they are. The first is our general counsel. The next is proposed emergency legislation regarding a date for the referendum on the constitution and the date for the election of two senators and a representative for the new state that Washington, D.C. will become. The next is the budget reallocation. Then the status of the proposals that we have before us. How many proposals are actually ready, and when will those that are not ready be ready. Then a discussion of the first, second, and third readings for the proposed articles which begin on April 26th, which is Monday after next. And we then can move on to the next item.

Let me say that the convention had engaged a gentleman by the name of Herbert Reid, who is a constitutional professor at Howard University, to be the general counsel for the convention. Mr. Reid has found himself deeply involved in a variety of hearings for the city government, the alcoholic beverage committee. We've not been able to contact him. We've not even been able to get a response to our request for meeting with him. You recall that last week the convention passed a resolution indicating that the general counsel should review all proposals to to date and make a report on those today. We've not been able to do that. So, we have advised the general counsel that the business of the convention is exceedingly pressing, and that we must move on and that we're going to have to select a new counsel. We have considered in the executive committee meeting this morning thoseindividuals who provided for us very valuable service at Howard University, Georgetown University, and the University of the District of Columbia as persons who can fill that role. We also have asked the law community for recommendations of people on the outside, people who could pull together a team of lawyers immediately. The executive committee has requested the president to move forthwith to select a general counsel for this convention by Monday at the latest, if at all possible, approaching first Howard University, asking Howard University to pull together people from all of the universities who may have that expertise. And if that isn't satisfactory, then to find such counsel from the outside. That's for your information.

Delegate Blount.

DELEGATE BLOUNT: Mr. Chairman, do I understand that that decision will mean that general counsel, Mr. Herbert Reid, will not receive any funds from the convention?

PRESIDENT CASSELL: You do understand correctly, yes. The next item, proposed emergency legislation. As you know--and I suppose most of you have received in the mail a piece of legislation proposed by the chairman of the D.C. City Council, Mr. Arrington Dixon, to set a specific date for the referendum on the constitution, and a different date next year for the election of two senators and representatives who would present the constitution to the United States Congress, provided it passes our own referendum. There is also a piece of legislation proposed by the corporation counsel to the City Council suggesting that the election be held in November. There is also recommended legislation from the corporation counsel--I beg your pardon--from the counsel for the board of elections suggesting that they set specific dates. We have copies of each of those three pieces of correspondence proposing emergency legislation on the part of the City Council here for your perusal. The executive committee will meet on Wednesday and make a recommendation based on what is considered to be in the best interests of this process.

I gather from our discussions with various delegates that the proposal to separate the time for voting on the senators and representatives and the time that we vote on the constitution, that that proposal is not meeting with great favor. But you're all invited to the executive committee meeting at 4:00 o'clock on Wednesday in Room 900, in which we want to deal with that issue. We'd like to hear from everybody.

The next item is the status of proposals. As you know, at this point we don't have a report from our rules and calendar committee yet. We discussed last week a tentative schedule. And it's one that the executive committee still recommends until such time as we hear something different from the rules and calendar committee, that we begin the writing of the constitution on Monday after next, April 26th; you will recall that you have a schedule which shows the times for the first readings and the second reading. That schedule is here again for those people who may not have picked it up. And then a third reading. The first reading will be the last week in April and the first week in May. The next two weeks, the second and third weeks of May, would be the second reading. And then the last week in May--at the end of which we must adopt the constitution--will be the third reading.

There may be something different when we hear from our rules and calendar committee, but we haven't heard from them yet. What we need is to know that we are ready for the April 26th readings. And I have some proposals, but I don't have proposals or copies of proposals from all committees. I would like the vice presidents who are in charge of the various committees to ascertain which committees are ready, and that they certainly shall all be ready by the end of next week so that we begin with a full schedule on Monday, April 26th. And I'm asking them to make that determination.

Regarding the budget, there's going to be a report from the treasurer, but I just want to say that we have not spent as much money as has been allocated for the month of March inasmuch as we didn't have everybody on board and there are some delegates who have not accepted their stipends. It is necessary for us now to reallocate that budget to cater to some of our other very pressing needs. We will need an editor for the style and drafting committee. We will need a constitutional generalist who can advise us and make certain as we work on the constitution that the constitutional document as a whole does not have within it conflicts, not article by article, but to look at the whole to make certain that as other constitutions have done, they provided an individual who can make certain that the entire document is logical. It reads not necessarily as lawyers would read it, but as a legislative document itself.

DELEGATE CORN: Excuse me, Mr. President.

PRESIDENT CASSELL: Delegate Corn, I am in the midst of making my report. This is not the time for questions.

DELEGATE CORN: Is this the time to question your report?

PRESIDENT CASSELL: I just said it is not.

DELEGATE CORN: Or to refute any part thereof?

PRESIDENT CASSELL: I have indicated that the proposals from the corporation counsel, the counsel for the board of elections--[rapping gavel] please, please. I have already indicated to you that there will be copies of three things: the corporation counsel's recommendations to the City Council regarding emergency legislation, the counsel to the board of elections, and from the mayor's office. They're up front here. There also will be in everybody's box by Monday three copies--or, rather, copies of those three documents. And it's very important that everybody read those and know exactly what is being proposed in our behalf.

The executive secretary's report, Miss Ellington.

Would somebody ask Miss Ellington if she would come in and make her report, please. [Pause to wait]

[Rapping gavel] While we're waiting for the executive secretary, we'll hear the convention secretary's report. Mr. Cooper. [Rapping gavel] Please, please. The convention secretary will make his report pending the report by the executive secretary.

SECRETARY COOPER: The report from the office of the convention secretary for April 17th. To date there have been no proposals from convention committees. The following proposals were received during the week from delegates. Proposal number 1-0006 from Absalom Jordan entitled "Voting Responsibility." This was transmitted to the committee on suffrage, et cetera.

Proposal number 1-0007 from Delegate William Blount, untitled, was transmitted to the committee on the judiciary.

There are no third readings scheduled for today. There are no second readings nor first readings scheduled for today. There have been no proposed rules amendments. The following rule amendments are still in circulation. The Cooper amendments to 2.4 and 2.5 to 6.1 and the Brian Moore amendment to 2.3(b).

The concludes the report.

PRESIDENT CASSELL: Thank you. The executive secretary's report, Miss Ellington.

MS. ELLINGTON: My name is Dorothy Ellington. I am the executive secretary, as you know. The focal point of our meetings last week happened to be the public hearings that were in progress. You would be interested to know that we held 17. And I'm glad to assure you that the turn-around time or the time in which you will get your transcripts is within five days after the close of your hearing. So, would you have your staff assistants contact us immediately for the copy of the transcripts upon their receipt for your review.

Our research assistants have been participating, and the reports from the assistants indicate that the hearings have been informative and will be of great assistance to the committees when they reassemble to redraft their articles.

Wednesday and Thursday we rescheduled appointments for the research assistants who have been authorized to work twice the average time that they had been placing. Instead of the 20 hours, I've been authorized to utilize them 40 hours next week so that we can get prepared for the first reading.

We have the interns and the other people that we talked about who are also available to us. Dr. Austin is working to prepare what he called a diary or the--a book, a briefing book, and the combined information from the ten committees. These books will be given to each delegate starting with the first reading. This will include written articles from the research assistants who will write, develop and analyze each committee's proposed articles, cross-reference them for you, and make linkages regarding each, and include the pertinent information coming from your public hearings. That should be available for you within a week of your last public hearing.

We have also been authorized to obtain some constitutional specialists to be made available for the use of the committees so that we construct the documents properly and utilize appropriate language.

The reading schedule is a big problem for us in terms of staff scheduling. I am going to ask each committee chairman to meet with me and with Dr. Austin so that we can be firm and clear about what each is expecting of the other during this period.

You will be interested to know that while we were not able to obtain the water fountains for you because our shippers have not materialized--however, we have bottled water for your drinking and we ask that you not use the fountain. I think that's the most important housekeeping thing for you to know.

We do have some typewriters available for the delegates' use on occasion.

DELEGATE CORN: Would it at all be possible to get hot water in the men's and women's room, or is that out of the question?

MS. ELLINGTON: I'll talk about it with you, Miss Corn.

Mr. Terrell.

PRESIDENT CASSELL: You're out of order. Please allow him to speak, Delegate Corn.

DELEGATE TERRELL: Mrs. Ellington, this is not really a question, but just a point of information I wanted to share. On behalf of the legislative committee, we want to thank you for all of your efforts in facilitating our hearing last week. And you were very, very helpful, and we appreciate everything you did.

MS. ELLINGTON: We thank you. The staff thanks you. [Applause]

We appreciate that.

PRESIDENT CASSELL: Any other questions?

Thank you very much, Miss Ellington.

In line with what was just said by one of our delegates, the chairman of a committee, are there any other committee chairs who have anything to say in connection with the kind, quality, and value of the services that have been provided, especially those who may have been somewhat disenchanted in the past? I'm not calling any particular names;

I'm looking at Delegate Blount though. Do you want to say something about how well your hearings--what kind of service that you got from the staff here?

DELEGATE BLOUNT: Mr. Chairman, on behalf of the judiciary committee, I would like to commend the executive secretary and the staff.

PRESIDENT CASSELL: [Rapping gavel] Please, ladies and gentlemen, we've got two guests here. We really have to make time, and I'm going to ask you, please, no buzzing, please, just for this one meeting.

DELEGATE BLOUNT: I would like to commend the executive secretary and staff of the convention for an excellent job last week. [Applause]

PRESIDENT CASSELL: Let me remind you that we do have microphones up here. There are microphones there. One of them is connected to the TV camera, and we also have one which will enhance the sound of your voice. So, please come to the microphones so you can be heard. Is there anybody else who wants to make any comment about the value and the quality of the service you have been getting this past two weeks in connection with the hearings?

DELEGATE T. MOORE: Mr. Chairman, could they make a comment during their presentation in their reports?

PRESIDENT CASSELL: All right, very good. Thank you very much. The mayor is due here in eight minutes. In the meantime we will have a report from our press secretary, Mr. Eddy Madison.

MR. MADISON: I'd like to say good afternoon to all of you, and I'm pleased to be serving you in this capacity. And I will just speak briefly. We've had one news conference, and that was a news conference to bring attention to the hearings, the public hearings that were held during the last two weeks. We have completed four news releases. We are completing the first newsletter. And we alerted the media about today's plenary session. In fact, one station used it as its lead article in their newscast last night. And I'd like to make one appeal again to all of you to submit--that is, the delegates and officers--to submit your biographical sketches and glossy black and white photographs to the executive secretary. I only have about five, and we would like to have all of the officers in the first newsletter. If we don't get this material, we'll have to go with what we have.

DELEGATE CORN: Could you give us more of those forms, please?

MR. MADISON: I think Mrs. Ellington has them. I only had two, and I've given them to two delegates. Yes, sir.

DELEGATE T. MOORE: Mr. Madison, Talmadge Moore: Isn't it possible that you could have a photographer out here--and I hope we have the funds--and you could take a picture one day of every delegate in here. And, in addition to that, let's have a formal picture. I requested that at the beginning of these sessions.

MR. MADISON: What was the second?

DELEGATE T. MOORE: A formal picture for the constitution.

MR. MADISON: The president is working on that.

DELEGATE T. MOORE: But the pictures that you want, could you have a photographer out here and take these individual pictures?

MR. MADISON: Well, sir, the president is getting a photographer for the purpose of having some group pictures made and some action photographs that I have requested. But the head shots, I don't know. I don't think we included that in our--

PRESIDENT CASSELL: Let me say this: we don't have money to allocate it in our budget for that. But I have gotten a commitment from the University of the District of

Columbia's media department that they will let us have a photographer for half a day a week from now until the end of the convention. We would have to squeeze all of that work into that. Now, that's somebody to take the pictures. How much they're going to give to us back in the way of developed pictures we don't know. But we do have some budget reallocation to do. And Mr. Madison is also preparing a newsletter, so that there has to be some money for that. We may be able to get that out of our budget if we're fortunate.

Delegate Street.

DELEGATE STREET: I'd like to say, if I may, Mr. Chair, that the office of the historian has the official photographs of the convention as one of the items of its budget, and that you will hear about later.

MR. MADISON: Speaking of history, I talked with at least three delegates, two of whom are officers, about the history of the statehood movement and the party. I have yet to receive this material. And if anyone has any history on the movement in narrative form or in any kind of form, I would appreciate your giving it to me. That we would like to have in the first newsletter. And I would not like to write it off the top of my head.

PRESIDENT CASSELL: Let me interrupt you to say that I'm sure that Delegate Mason has in her office the information. We should have referred you to that source originally. And there are other people we can refer you to specifically rather than to wait for people to come forward. Did you indicate the deadline for submission of bios and photographs.

MR. MADISON: Unfortunately I did not. The deadline is last week. [Delegates laugh.]

PRESIDENT CASSELL: How about extending that to Tuesday of next week?

MR. MADISON: Tuesday of next week, all right.

DELEGATE CORN: Could we please get more forms right now?

PRESIDENT CASSELL: Yes, that's something you can get from Miss Ellington. She'll have that.

Any other questions for Mr. Madison?

MR. MADISON: I have no further comments. Any questions?

PRESIDENT CASSELL: Thank you very much. Thank you very much. The next item is the treasurer's report, but I am not going to start that because if the mayor is here in four minutes--all right, she says it only takes a few minutes.

DELEGATE JONES: Good afternoon. Theresa Jones, Ward 8. It'll only take less than two minutes because the money is that tight. As you know, we projected one-third of the budget to be spent in March, which was $29,250. I should tell you at the outset that this figure changed from last week because going by calendar days we found that we had more days than what I had originally given you. We expended $26,484. We have a balance--and this is for the delegates' stipend--we have a balance on that of $2,766. We have two delegates that have not been paid.

For staff compensation we projected that we would spend $17,166. We expended $8,988.85. And that's because the staff did not start all at the same time. We have a balance for the month of $8,177.81.

For contractual services we said we'd spend $3,116. We spent $1,815, and we have a balance of $1,301.

For our empress fund we projected for the month of March $466.66. We've expended $378. So, we have $88.66 left. For the month of March $49,999.98 was projected. We spent $37,665.85. And we have a balance of $12,334.13. When we look at the total 90 days of $150,000, we have expended $112,334.15. Some of this is going to be reprogrammed, and the money that's going to be reprogrammed would be out of the delegates' stipend. That's what we will not be spending. But that money has to be programmed to pay for our court reporting services--that's tremendous. It will have to be reprogrammed to pay for staff, extra hours for staff to work to provide us with the service that we need. It will pay for editors, as the president said, and various and sundry other things. We have to lease a word processor and these things. So, don't get overly anxious over the questions when you're asking about money. There is none.

Any questions?

PRESIDENT CASSELL: Thank you very much.

DELEGATE JONES: Delegate Corn has a question. What is it?

DELEGATE CORN: When is the next--when do we get our next?

DELEGATE JONES: I can't really tell you that, Gloria. We invite fights, and we're trying not to do that because it takes up too much energy and time to do that, and we're supposed to write a document. So, let's not get concerned about the stipend just yet. Any other questions? Question, question, question? Thank you.

PRESIDENT CASSELL: Thank you. Thank you very much.

much.

DELEGATE JONES: I'm passing these out.

PRESIDENT CASSELL: We will now have our committee reports. At the time that the mayor gets here, we'll interrupt them momentarily. Delegate Baldwin.

DELEGATE BALDWIN: Thank you, President Cassell. We're asking each chairperson to report as follows. Number one, give the highlights of your hearing and, secondly, to respond to the proposed date that has been assigned to you as first reading. As I call the committee, I'll state the date for your first reading. Finance and taxation, Delegate Coates. Date for their first reading, April 29th.

DELEGATE COATES: You say you want a response in the report now?

DELEGATE BALDWIN: Yes, please. Just give us a brief summary of your hearings and, in addition to that, to respond to the date that has been set for you as far as the first reading of your article.

DELEGATE JORDAN: Point of order, Mr. Chairman.

DELEGATE BALDWIN: Yes.

DELEGATE JORDAN: The convention voted earlier to adopt an agenda change. That change placed the ad hoc committee, the statehood constitutional commission and the rules committee ahead of all other committees' reports. We voted that earlier in this period. So, at this point the first two committees to be heard are the committee on the ad hoc--I mean, the ad hoc committee on the statehood commission and the compact commission and then the rules commission.

DELEGATE BALDWIN: I just conferred with the chair, and he states that in view of the fact that those two committees would take a considerable amount of time, he wanted to move on with those things--because we would have to stop when the mayor comes in. And these committee reports will be very short, and we'd be able to stop and--

DELEGATE JORDAN: But, Mr. Chairman, what was the purpose then of having an agenda change? I mean, we voted on it, and it was adopted by the body. I'm not trying to initiate a fight. I'm just saying--

DELEGATE BALDWIN: Yes, you're right.

PRESIDENT CASSELL: Delegate Jordan, we can respect that vote. Let me just ask you if you'd want to make a change. Momentarily we're going to have a guest speaker. We can start now, but then we would have to interrupt. I just assumed that you might not want to get it started and then interrupt it. It's up to you.

DELEGATE JORDAN: Mr. Chairman, do what you're doing now then if those committees are going to hurry up.

PRESIDENT CASSELL: Let me give them very specific instructions to be brief.

DELEGATE JORDAN: Is it the understanding though after the mayor speaks and these two committees--

PRESIDENT CASSELL: Yes, and after that we're going to committee reports.

DELEGATE BALDWIN: Thank you. Mr. Coates, if you'll give us the highlights of your hearing, plus react to the date that has been assigned to you for first reading. And your date is the 29th.

DELEGATE COATES: Mr. President and delegates here assembled: The committee finds that the projected date of April 29th is consistent with the status of the committee's work at this point and fully anticipates that it will complete that work sufficient that it can make its first reading report on April 29th.

Secondly, we have completed two scheduled hearings in the past week. Matters of urgent concern indicated by public comment presented in hearing and received otherwise centered about provisions to substantially reduce presently enjoyed tax exemptions by religious, educational, scientific, medical, fraternal, and other such organizations, and requirements that the state utilize state chartered banks and other financial institutions.

The committee is grateful for public response and is responsibly deliberating with respect thereto. We complete the report.

There's oneother item which I don't have noted here, but it is to request, sir, the committee requires the consulting expertise of legal counsel prior to the final report of its article. Or that is otherwise to say prior to its report for first reading.

DELEGATE BALDWIN: Thank you, Delegate Coates.

Judiciary branch committee, your assigned date for first reading is April 28th. Delegate Blount.

DELEGATE BLOUNT: Mr. Chairman, I have been assured by the members of the judiciary committee that we will be able to meet that deadline.

A DELEGATE: What's the deadline?

DELEGATE BALDWIN: The 28th.

DELEGATE BLOUNT: That's Wednesday, isn't it? Wednesday, the 28th?

DELEGATE BALDWIN: Yes, it is.

DELEGATE BLOUNT: All right. All delegates should have a summary of our week's activities in your boxes. The judiciary committee had a total of 14 witnesses at our public hearings on April 12th and April 14th. Two witnesses favored all-elected judges, and 11 witness favored complete appointement of judges by the governor from a list provided to the governor by a judicial nominating commission. Most witnesses felt that the judges should not be subject to the political process of elections. Ninety percent supported tenure of 10 or 15 years. It was also suggested arbitration be used in order to reduce the civil case backlog. The article should be conceptual and details worked out by the legislature.

Many favored the present system as is. One witness favored a three-tier system with the people's court at the bottom, with one superior court and supreme court the next highest court. The majority favored a two-tier system with a supreme court and a superior court.

We had witnesses from the D.C. Republican Committee, Washington Bar Association, National Lawyers Guild, Citizens Democratic State Committee. We had an interview on tape from a prisoner from Lorton. Attorneys and delegates.

DELEGATE BALDWIN: Thank you, Delegate Blount.

The preamble and rights committee: committee-assigned date, April 30th. Delegate Charles Mason.

DELEGATE C. MASON: The preamble and rights committee conducted hearings on the evening of Monday, April 12th and on the afternoon of Wednesday, April 14th. Several witnesses testified at each of these hearing sessions. I believe that the testimony was useful to the committee. Members of the committee now working on the proposed articles--it should be called to everyone's attention that the document that was presented at the hearings for conceptual framework for a proposed bill of rights listed a large number of concepts that had been suggested by various persons, members of the committee. It did not indicate that the committee had ever taken a vote on these or decided to include all of them in the proposed constitution. I think that there may have been some misunderstanding in spite of the clarity of the cover sheet that was with the concept paper.

The committee hopes to work hard now on getting together language to present to the convention for adoption. We hope we can meet the proposed deadline. We're not absolutely sure that the complete article will be ready in that time. We'll do the best we can. I want particularly to commend and give thanks to our research assistant, Susan

Dunham, who has worked very hard preparing for the hearing and putting together the concept paper, and doing a thousand and one other things the committee needed to have done. She has done an excellent job. Thank you very much.

DELEGATE BALDWIN: Thank you, Delegate Mason.

DELEGATE JORDAN: What is the projected date for this committee's article?

DELEGATE BALDWIN: The 30th, April the 30th, the first reading.

DELEGATE C. MASON: The 30th is the target date for getting the material in. I hope we can make it, but I can't guarantee it.

DELEGATE BALDWIN: Delegate Jackson.

DELEGATE JACKSON: Yes, sir. I also serve on that committee. With all deference to Mr. Mason, I think it's quite unlikely that the committee will reach that deadline. And just one thing. There are so many concepts, there is so much language, there are any number of things which will require in-depth discussion. And it's a very complicated committee report that I think will have to be done, and it is just complicated. Anyone who has read any section of rights anywhere would know that. It's impossible, Mr. Chair. I would ask the executive committee to look and ask other committees which have perhaps finished their language, if it would be possible to change places with those. I'm not asking for deliberation now, but I would ask that the executive committee take that upon themselves. I think it's very unlikely that we will be ready for a first reading on April 30th.

DELEGATE BALDWIN: Thank you, Mr. Jackson. I will pass that on to the executive committee, and I'm sure that they can and will make some changes if you're not able to meet your deadline.

DELEGATE JACKSON: Thank you.

DELEGATE BALDWIN: Delegate Marcus.

DELEGATE MARCUS: I'd like to enter into the record that as chair of the subcommittee on the bill of rights it had a number of discussions with attorneys and various other experts in regard to the bill of rights. And regardless of what language we have got, we are looking at in excess of 60 hours of writing and preparation time prior to the actual reporting out at the first reading. I'd hope that the executive committee would take that into account. Thank you.

DELEGATE BALDWIN: Thank you. Health, housing, and social services, Delegate Paramore. Delegate Warren, you are reporting for that committee? The assigned date for the first reading is May 5th.

DELEGATE WARREN: Geri Warren, Ward 6. I'm reporting this morning on health, housing, and social services for our committee chair, Gwen Paramore. Our committee on health, housing, and social services is progressing well. We had a hearing this week, and we had excellent response. We had a couple of youth, junior high school youth, to share their concerns with us.

We began drafting at our last meeting and we expect to produce an excellent set of articles based on the input that we have received. And we will be ready for our first reading on May 5th.

DELEGATE BALDWIN: Thank you. Suffrage and et cetera committee, Delegate Johnson, Ward 7. Your assigned date for first reading is May 7th.

DELEGATE JOHNSON: The following is the status report for the suffrage committee for April 17, 1982. This week the suffrage committee had its second and third sessions of public hearings. The following persons made presentations. On April 13th Mr. Frank Shaefer Corona, Ward 1, Miss Ruth Dixon, Ward 3, Mr. Harry Weinstein and Mr. Bob Rohr from the D.C. Republican Party, Delegate

William Cooper from Ward 4. On April 15th we had presentations from Mr. Paul Hays, Miss Ann Stolz, League of Women Voters, attorney Arnold Liebowitz, general counsel for the Senate Subcommittee on Immigration and Refugee Policy, Lieutenant Colonel Harry O. Johnson, United States Army, and statements by two prisoners presently incarcerated at Lorton penitentiary.

Several organizations have agreed to submit written statements. These statements will be received not later than Tuesday, April 20, 1982, in order to be given consideration before voting begins. Our schedule for the next two weeks is as follows. We will have a reading and adoption of the articles. On April 22nd, suffrage, apportionment, amendment, and revision. We felt that this is very ambitious, but we feel that in order to be ready by May 7th we would have to expedite. And if we are not able to complete our work by April 22, which is the next week, we may have to schedule an additional meeting to meet our deadline.

Each subcommittee will be taking into consideration ideas presented at the public hearings as they refine their articles for the reading committee and subsequent voting.

We sincerely thank Delegate Hilda Mason and

Mrs. Jan Keenan, her staff assistant, for their help during our public hearing. We also thank our committee's volunteers, Dr. Mildred Brown, Dr. Polly Brown, Miss Portia Palmer, and Miss Sonia Egwemasik.

Our committee is working very, very hard, and I am very, very proud of the work that they are doing.

DELEGATE BALDWIN: Thank you. [Applause]

Thank you, Mrs. Johnson. We can appreciate your possibly requesting additional time because Mrs. Johnson's committee has the responsibility of writing three separate and distinct articles.

Delegate Corn.

DELEGATE CORN: I'd like to just ask, was there a substantial difference between Paul Hays's testimony and that from the D.C. Republican Party in their point of view?

DELEGATE JOHNSON: I would only present one person's opinion. I did not find it to be extremely different. Could any of the other committee members respond to that?

DELEGATE CORN: It was basically the same point of view? Okay, thank you very much.

DELEGATE BALDWIN: Thank you, Mrs. Johnson.

Mr. President, that concludes the report from the committees that I'm responsible for.

PRESIDENT CASSELL: Thank you. Thank you. Thank you. Delegates, I want to introduce the first speaker today, Mayor Marion Barry. Before I introduce him, I want to make sure that we acknowledge that the mayor has provided for us much of the important resources that we have used today. The building that we're in now has been paid for by the city government. The University of the District of Columbia allows us to be here till 2:00 o'clock. From then on the D.C. Government is picking up the tab. We have secretaries, we have equipment, we have supplies, we have a variety of personnel worth a considerable amount of money. And it is proper for us to thank the mayor for the support that he has provided for us, as he promised, when he swore us in on January 31st. I know that the mayor is a strong supporter of the cause that we're involved in also. So, let me introduce the mayor to you, and we'll hear from him for a half an hour. [Standing ovation]

MAYOR MARION BARRY: Thank you very much, Mr. President. I'm awfully sorry I can't accommodate the legislature in that regard in terms of the Constitutional Convention by filibustering for half an hour, but I'll take a few minutes to congratulate all of you for working so awfully hard to bring about a reality that we all are very hopeful will come very, very soon.

As you know, I appreciate those words of support for what we tried to do, Mr. President. We have tried to support the convention in spite of the fact that we have sent over to the Council over a $700,000 budget; and because of the opposition of one person, the Council was persuaded to reduce that. But we've been doing it anyway. We want to get as many resources as we possibly can recognizing that we support what you are doing.

Let me say this nation was founded on the premise that governments derive their powers from the consent of the governed. Indeed, it is from President Abraham Lincoln's unforgettable phrase at Gettysburg that we derive strength. Lincoln said: "Government of the people, by the people, for the people shall not perish from the earth."

I'm sure that you here today have an ideal foremost in your minds. It's just a matter of implementing it. Your hard work and your dedication to high principles are two qualities that the citizens of the District of Columbia relied upon when they entrusted to you the important task of drafting the constitution for the 51st state of the union. And, believe me, we will be the 51st state of the union.

[Applause]

Let me also say that for decades citizens of the District of Columbia and local and national leaders have sought to remedy an injustice that denies the basic right of representative government to the citizens of the District of Columbia. It is a travesty of history that the citizens of the District are denied that which all other Americans enjoy; that this city bears the proud title of the capital of the greatest democracy on earth is of little solace to black political history locally.

The constitution you draft will replace the hollow sound of unrealized political liberties with vitality. It will consummate the dream that so many of us have shared so long. There's no question in my mind that you're going to draft one of the finest constitutions ever presented to the Congress of the United States of America. [Applause]

You're going to do that because you've answered the basic question: Where else under the Constitution and laws of the United States are 700,000 citizens being denied their basic rights? [Applause]

Where else is it that you can say this is the capital of the United States, the capital of the free world, yet it is here where democracy is weakest? It is here that democracy should be the strongest and not the weakest. That's why you want to draft the finest constitution ever drafted by any constitutional convention. You understand what our problems are. You understand what our needs are. In fact, this whole subject of the District of Columbia and suffrage has been a subject of dispute ever since the first Monday in December, 1800, when the "exclusive jurisdiction," quote-unquote, of the United States took effect. Since that time the District has grown and developed in ways that no one could have ever foreseen. Can you imagine in 1790, when George Washington thought this was the place to be, when there were less than 15,000 citizens in this area now called the District of Columbia or incorporated in the Town of Washington, that here we are now with some 700,000 strong, larger than almost two congressional districts, a population greater than 11 states. Many of our ancestors and forefathers have fought in all wars and have died for the proud history of this country, have fought for justice and freedom. And yet in our own city we are yet not free. That's why you're going to write the best constitution ever written. [Applause]

We know the pages of our history are replete with examples of frustrations, failures, and successes for the citizens of various regions of our nation to become full partners in the union. We've known the frustration of other entities that were not states to become states. But we also know how to survive. And, so, the constitution that you are drafting is a necessary document in the statehood process. Yet it also is a symbol, and an important one, because it signifies that we have reached the halfway mark. The citizens of the District of Columbia have said, by passing the initiative, that they want unencumbered government of the people, by the people, and for the people.

The D.C. constitution must guarantee government by the people, for the people, and with the people. And when the Congress opens its doors to the representatives of the 51st state, there will be government for the people, by the people, and with the people because that's the kind of constitution that you're going to write.

Let me add one final thought. President Jackson in his annual message to Congress in 1831, in discussing the conditions of the District of Columbia and the wisdom of the framers of our constitution, when he questioned the necessity of depriving the people of all of their privileges of self-government, when President Jackson said, "I honestly recommend the extension to them of every political right which their interests require," it was true when Jackson said it then, and it's true now. And, therefore, as you write this great constitution, I am convinced that with the hard work that you are going to and have put into it, that you will make us all proud to be citizens of the District of Columbia. And you will make us all proud to be citizens of the 51st state. Thank you very, very much. [Standing ovation]

PRESIDENT CASSELL: Let me just say to you, Mr. Mayor, that based on the preparations that we have undergone here and the work that has gone on so far, I predict that your predictions for us are going to come true: the best constitution yet. [Applause]

We are now back to the agenda. As you will recall, we rearranged the agenda to bring the item regarding the statehood commission and the statehood compact commission back to the floor. Delegate Absalom Jordan.

DELEGATE JORDAN: Thank you, Mr. Chairman. For those of you who weren't here last week, I'd like to reiterate where we were. Under the new business report of the ad hoc committee on statehood commissions and the statehood compact commission, it was moved--

PRESIDENT CASSELL: [Rapping gavel] Please have it quiet.

DELEGATE JORDAN: It was moved for adoption. There was a motion to consider the sections ad seriatim, and that passed. And we had completed up to section three of the report. We have already enacted sections one and two. So, a motion to reconsider this motion is in order, Mr. Chair, so that we can begin to debate.

PRESIDENT CASSELL: What motion are you proposing?

DELEGATE HARRIS: To adopt section three?

DELEGATE JORDAN: If we are going to continue to do them ad seriatim, then yes.

DELEGATE BALDWIN: You should just begin right at number three.

DELEGATE JORDAN: Mr. Chair, I'd like to move section three. That reads: The president of the D.C. Statehood Constitutional Convention shall be a member ex officio of the statehood commission and compact commission with any amendments.

DELEGATE NIXON: Second.

PRESIDENT CASSELL: It has been moved and seconded that item number three on the report be adopted. Any discussion?

DELEGATE CORN: With amendments.

PRESIDENT CASSELL: Delegate Mason.

DELEGATE C. MASON: My notes from that time would indicate that a notation be inserted, non-voting member, be included; is that correct, my recollection?

DELEGATE JORDAN: There was some discussion as to whether or not the president would be a voting member, and in the discussion we said that he would be a non-voting member; but the section was not amended to reflect that.

DELEGATE C. MASON: I believe that I would so move an amendment to say that if that's what we mean.

DELEGATE CORN: Point of order, Mr. President.

PRESIDENT CASSELL: Point of order.

DELEGATE CORN: It seems to me last week there was a motion on the floor which carried to consider this report ad seriatim. Unless you are calling for a reconsideration of that motion, I suggest that we follow it and adhere to our rules. Thank you.

PRESIDENT CASSELL: We are following it. Delegate Corn, you will recall that we asked Delegate Jordan to continue reading the items one by one. We are now considering item number three.

DELEGATE JORDAN: There's a motion on the floor. I didn't hear a second.

DELEGATE THOMAS: Norman seconded it.

DELEGATE JORDAN: It has been seconded.

DELEGATE NIXON: I second.

DELEGATE JORDAN: There is a motion to amend section three by adding--I don't know at what point--that the president of the D.C. Statehood Constitutional Convention will be a non-voting ex officio. Any discussion?

DELEGATE C. MASON: The end of the first line.

DELEGATE JORDAN: Michael Marcus, Janette Harris.

DELEGATE MARCUS: Are there extra copies of this particular report, Mr. Chair? There doesn't seem to be enough on the floor for all the delegates.

DELEGATE JORDAN: No, sir. We gave out over 50 copies last week. There were some extra copies that were left in the front this morning.

DELEGATE JORDAN: Janette Harris and then Gloria Corn.

DELEGATE HARRIS: If it's in order, I'd like to speak against the amendment and if I'm clear that the amendment is that the president be a non-voting member of this commission. I think if the president is to carry the thoughts of this commission and to carry our thoughts into the compact commission, he needs to be able to vote on whatever issues. Otherwise he is just sitting there as a non-voting delegate. I don't think that was the intention of this section three.

DELEGATE JORDAN: Gloria Corn, Janice Eichhorn, and Harry Thomas.

DELEGATE CORN: One of the rules that we have all voted on is the president shall serve as an ex officio non-voting member of all committees of which he is not a regular member. If you're changing those rules now to either make him a voting member or even to include this section--if you mean an ex officio non-voting member, you don't even need number three. That can be eliminated altogether since it's already in the rules of the convention. If you want to make him a voting member of that body, then I strongly suggest you seek reconsideration of the rules here and now.

DELEGATE JORDAN: Jan Eichhorn.

DELEGATE EICHHORN: I don't believe the president could be a voting member of the commission unless we make the president a member of the commission. However, because the commission will be a special committee of the convention, it's my understanding they won't be able to take any final action without approval from the convention. The president simply serves as our liaison and would guide them and report back to us. I don't think that's an appropriate--

DELEGATE JORDAN: Harry Thomas, Talmadge Moore, and Wes Long.

DELEGATE THOMAS: Mr. President, I would like to suggest that the president be a voting member.

DELEGATE JORDAN: Talmadge Moore.

DELEGATE T. MOORE: Talmadge Moore, Ward 5. I should think that if the president instituted the committee, it is an ad hoc committee and he can dissolve it or institute it as he desires. I would like to request that he be a voting member of the commission.

DELEGATE JORDAN: Can I address one of these questions that's being raised? Talmadge Moore, Delegate Moore, the committee is not an ad hoc committee. We voted last week to make the committee a special committee.

There's another point that should be made, and that is the act that created the statehood commission would require that the 24 members of that commission be voting members. Now, if the president were selected as a representative from his ward, then he can vote. That's the question that's before us.

Hold on a moment. There's a question that has been raised. And this is appropriate. We've heard two people for it. Can we hear those who are against it?

DELEGATE BALDWIN: Those are against. We need to hear some for it.

DELEGATE JORDAN: Yes, we've heard Harry Thomas for it.

DELEGATE HARRIS: No, he's against it.

DELEGATE JORDAN: No, Harry Thomas is for it.

SECRETARY COOPER: We've heard four people against and one in favor.

DELEGATE HARRIS: Against the amendment.

SECRETARY COOPER: Against the amendment. We've heard four against the amendment and one in favor.

DELEGATE JORDAN: Okay. I'm trying to balance it because we have a requirement that says--

DELEGATE HARRIS: That's right, for the amendment.

DELEGATE JORDAN: We've had four, as I understand it, who have indicated they're opposed to it. We've only had one who's in support of it. Are there any individuals who in support of the amendment who would like to speak to it? Delegate Schrag.

DELEGATE SCHRAG: I have a question. May I ask a question which is neither for nor against?

DELEGATE JORDAN: Yes, sir.

DELEGATE SCHRAG: You said a moment ago that if the president were chosen as a member from his ward, he would obviously vote.

DELEGATE JORDAN: Yes.

DELEGATE SCHRAG: If the president is not chosen as the member from his ward, doesn't that mean that we have to reduce the ward delegations by one so that there will be only 23 other voting members in conform to the law?

DELEGATE JORDAN: That's the way I understood it.

DELEGATE SCHRAG: If we adopt this, if we give the president a vote.

DELEGATE JORDAN: Yes.

Any more questions? Yes, Delegate Graham.

DELEGATE GRAHAM: The rules say that the president shall serve as ex officio non-voting member of all committees of which she or he is not a regular member. Does this mean that he would be a regular member of that committee? If so, he has all the rights and privileges of that committee; doesn't he?

DELEGATE JORDAN: No. This proposal was designed to be consistent but to bring before this body a clear understanding that the president of this convention would serve as an ex officio member. And the intent of that point was a non-voting member because we understood that the commission would be a special committee of this convention and subject to the rules and requirements of the committees of this convention and consequently would have to in some way come back to receive support for various positions that have been taken, budgetary commitments, as we have those listed. So, we didn't see a need for having the president vote, but to have it there as a representative of the convention.

Marcus.

DELEGATE MARCUS: Mr. Chair, I rise because I have to oppose the amendment that the president be a voting member of this committee. I have to oppose it on three grounds--or I must support the amendment if he is to be a non-voting member of the committee. And I'd support it on three grounds: that this convention has a president or the president being a non-voting member of all standing committees. Second, that it enhances the president's function as a liaison to the various standing committees to represent the interests of the convention and to report back to the convention the activities of the committee. And, third, because the president as a voting member of the committee would decrease the participation that we would want to find in the community, as a non-voting member would enhance that participation by reporting the things that were going on, including various types of information. Thank you.

DELEGATE JORDAN: Yes, thank you. Delegate Jackson.

DELEGATE JACKSON: Just a point of information around this. Point number eight says the president shall have the authority to appoint the members of the statehood compact commission. Is that right?

DELEGATE JORDAN: Yes, sir.

DELEGATE JACKSON: Is that right?

DELEGATE JORDAN: Yes, sir.

DELEGATE JACKSON: Now, I'm speaking to this. So, why don't we solve the question? We're taking too much time. If the president appoints himself to the statehood compact commission, the problem is solved. [Delegates laugh.]

DELEGATE JORDAN: Delegate Jackson, that's not true. We're talking about two separate and distinct bodies. We're talking about a statehood commission that is composed of 24 members. We're talking about the statehood compact commission. Those delegates to that statehood compact commission would have to come from some of the 24 delegates to the statehood commission. Delegate Sandra Johnson.

DELEGATE JOHNSON: Would it be appropriate to hear a statement from our president as to his opinion on this topic?

DELEGATE CORN: No. The rules clearly state he'd have to step down from the chair to do that.

DELEGATE JOHNSON: I didn't ask you, Miss Corn.

PRESIDENT CASSELL: Delegate Jordan, the president declines to be involved in this discussion.

DELEGATE JORDAN: Delegate Blount had raised his hand.

DELEGATE BLOUNT: One, I wanted to move the previous question. Two, I was wondering if there was some reason that the president was not chairing the proceedings.

DELEGATE JORDAN: Are you going to move the previous question?

DELEGATE BLOUNT: I move the previous question.

A DELEGATE: Second.

DELEGATE JORDAN: The question has been moved and seconded. Any unreadiness? Brian Moore.

DELEGATE B. MOORE: Point of information. I'd like the maker of the amendment to give us the rationale for the amendment again if possible.

DELEGATE JORDAN: We have at this point a call for the question. So, that would be out of order.

DELEGATE CORN: Point of order.

DELEGATE JORDAN: Yes.

DELEGATE CORN: Under the rules the maker of the motion shall speak last in debate.

DELEGATE JORDAN: We're not debating the motion, Gloria.

DELEGATE CORN: We have debated this motion.

DELEGATE JORDAN: Delegate Corn, will you let somebody else run it? The question right now, I mean, has been called for, okay? And then we'll move to the motion that is on the floor. And if the delegate wants to speak to it, then he can. But we have a call to cut off debate. It has been seconded. Any unreadinesses?

PRESIDENT CASSELL: There is no unreadiness now.

DELEGATE JORDAN: All those in favor--

SECRETARY COOPER: Delegate Jordan, we have our president in the chair here.

PRESIDENT CASSELL: That's all right. Go right ahead.

DELEGATE JORDAN: We're cutting off debate. This is a motion to cut off debate, to move the previous question. So, I'll have the motion restated as soon as we take this. All those in favor of cutting off debate, would you please indicate by saying, "Aye." [Response]

Opposed? [Response]

It seems like the ayes have it.

SEVERAL DELEGATES: Division of the house.

PRESIDENT CASSELL: Delegate Jordan, let me ask you, since you have a division of the house, would you restate that motion so that everybody is clear that you're voting on the amendment and what the amendment says.

DELEGATE JORDAN: Right now we have voted on cutting off debate. There has been a division of the house called for. There has been a request that we state the initial motion. The initial motion was to amend section three by adding or inserting in front of "member ex officio" the words "non-voting."

PRESIDENT CASSELL: Let me see if I can--simply because I've got the microphone here. Item number three is the item we're concerned with. Item number three now reads: The president of the D.C. Statehood Constitutional Convention will be a member ex officio of the statehood commission and compact commission. There was a motion to adopt that. There was an amendment to add to that that he should be a non-voting ex officio member. If you are in favor of amending that so that the president is a non-voting member, then you vote against. If you prefer the president does vote, then vote no. All those in favor of the motion, of the amendment--

DELEGATE BLOUNT: Point of order. Point of order.

PRESIDENT CASSELL: Point of order.

DELEGATE BLOUNT: We were having a division of the house on cutting off of debate.

PRESIDENT CASSELL: The division of the house means that--I'll ask for a show of hands. Those in favor of amending item three to have--

DELEGATE HARRIS: No, no. Cutting off debate.

PRESIDENT CASSELL: Oh, I'm sorry. Those in favor of cutting off debate on this, signify by raising your hands, please.

DELEGATE JOHNSON: Cutting off debate?

PRESIDENT CASSELL: Yes. [Show of hands]

SECRETARY COOPER: Twenty-two.

PRESIDENT CASSELL: Twenty-two in favor. Those opposed? [Show of hands]

SECRETARY COOPER: Eight.

PRESIDENT CASSELL: Abstained? [Two abstentions]

SECRETARY COOPER: Two.

PRESIDENT CASSELL: Motion to cut off debate carries. The motion before the house now is to amend item number three to add the words "non-voting." So that it will read: The president of the D.C. Statehood Constitutional Convention will be a non-voting ex officio member of the statehood commission and the compact commission. If you are in favor of adding those words that the president does not vote on the commissions, signify by saying or by raising your hands. If you would prefer that the president does vote, then you will vote against. Those in favor of the amendment, signify by raising your hands. [Show of hands]

SECRETARY COOPER: Twelve.

DELEGATE BALDWIN: Twelve.

PRESIDENT CASSELL: Those opposed? [Show of hands]

SECRETARY COOPER: Sixteen.

PRESIDENT CASSELL: Motion loses.

Abstentions? I'm sorry. [Three abstentions]

SECRETARY COOPER: Three.

PRESIDENT CASSELL: The motion loses. Delegate Jordan, we're back to your item.

DELEGATE JORDAN: Are there any more amendments to section three?

DELEGATE B. MOORE: I just wanted to know the vote count.

DELEGATE JORDAN: I can't answer that.

DELEGATE CORN: Point of order.

PRESIDENT CASSELL: Let us respond to the previous question. The vote count, please?

SECRETARY COOPER: The vote was 12 in favor or the amendment, 16 against the amendment, and three abstaining.

DELEGATE JORDAN: Delegate Corn.

DELEGATE CORN: Point of order. I'd like to clearly read the rules. If you do not make him a non-voting ex officio member, then you are requesting a change in the rules. The rules clearly state that the--

DELEGATE JORDAN: Delegate Corn, you are debating.

DELEGATE CORN: No, I am not debating. I am simply telling you what the rules are.

DELEGATE BALDWIN: She is out of order.

PRESIDENT CASSELL: Delegate Corn--

DELEGATE CORN: My point of order is that if he is not a non-ex officio member, you are changing the rules and doing so by not following the proper procedure. The rules clearly state under duties of officers: The president shall serve as an ex officio non-voting member of all committees of which he is not a regular member.

PRESIDENT CASSELL: All right, you have made your point...

DELEGATE CORN: I'd like to know: Does this body intend to just violate the rules willy-nilly whenever it pleases?

DELEGATE BALDWIN: The vote speaks for itself.

DELEGATE JORDAN: The amendment failed. I am asking if--

DELEGATE CORN: The committee set up by this body--

PRESIDENT CASSELL: Delegate Jordan, would you let me chair this? Thank you very much.

Delegate Corn, you have made your point. Any responses? Delegate Harris.

DELEGATE HARRIS: Not a response to Delegate Corn, but I'd like to propose the amendment as it is now. And that is--if that's in order--the president of the D.C. Statehood Constitutional Convention will be a voting member ex officio of the statehood commission and compact commission.

A DELEGATE: Second.

PRESIDENT CASSELL: It has been moved and seconded that the reading is that the president of the D.C. Statehood Constitutional Convention shall be a voting ex officio member of the statehood commission and compact commission.

DELEGATE B. MOORE: Point of order.

PRESIDENT CASSELL: Point of order.

DELEGATE B. MOORE: I appeal to the chair for a parliamentary interpretation or decision on the request by the delegate. I'd like a decision by the parliamentarian whether we are in order or out of order by the previous amendment that was defeated. If number two states that the statehood commission and the compact commission--

PRESIDENT CASSELL: I understand what you're asking, and the chair has already ruled on that. Just a minute. Let me confer.

DELEGATE SHELTON: Mr. Chair, I may suggest that if you would like the option of referring that concern to the rules committee, you may have that option for interpretation if you feel it's necessary.

PRESIDENT CASSELL: All right, let me refer it to the proper chairperson.

DELEGATE BALDWIN: As previous action, the voting speaks for itself. The motion was not stated as a motion in order. Therefore, Mr. President, we should move on.

PRESIDENT CASSELL: Mr. Jordan.

DELEGATE JORDAN: There was a point of order.

PRESIDENT CASSELL: There is a motion on the floor which has been seconded properly. Point of order?

DELEGATE SCHRAG: No, I wanted to just debate the motion. The Harris motion, I want to speak to the Harris motion.

PRESIDENT CASSELL: You want to debate it.

DELEGATE JORDAN: It was seconded by Theresa Jones.

DELEGATE SCHRAG: I would like the maker of the motion to let us know, since the chairman of this committee has told us that if we make the president a voting member, we have to diminish the other voting members by one so that we stay within the statutory 24. I'd like the maker of the motion to tell us how she proposes to reduce the membership by one. Will the ward from which the president comes lose a member? Or will we take one away from the statehood commission in some other manner?

DELEGATE HARRIS: I think I would like to defer to the committee chair in that proposal, but I don't see why you have to reduce the numbers by one, because the president would then be a voting member.

DELEGATE SCHRAG: The statute says the limit--there can only be 24 voting members. So, if we have three from each ward, that's 24 and the president makes 25, and we won't be in conformity with the law.

DELEGATE HARRIS: I think maybe the committee needs to deal with that.

DELEGATE BALDWIN: Mr. Schrag, you are right, I'm sure. As you know, it states that the president shall appoint or the convention shall appoint. So, in appointing I'm sure they wouldn't exceed 24.

DELEGATE SCHRAG: My question to the maker of the motion is, How is the convention to do that? See, I'm not prepared to vote for this motion if my ward is going to lose a member. So, I would like to know how we're going to know what ward is going to lose a member by virtue of this addition to the commission.

DELEGATE HARRIS: It has already been voted on by the members. You've already had the vote.

PRESIDENT CASSELL: I think your assumption is not warranted, Delegate Schrag. There is no indication that in order for any member, be he ex officio or not, to reduce the number, the total number of people, by one. It has been pointed out also that the chair has the authority to appoint any delegate to the compact commission. If that delegate happens to be the chairman himself, he would have a voting right. I would hope that we can move on to decision. There is a motion on the floor that that question, which has been responded to, be referred to the chairperson of the committee.

Delegate Jordan.

DELEGATE JORDAN: Yes, sir.

PRESIDENT CASSELL: I'm ready to move on with that motion, the motion on the floor. The motion on the floor is to restate--inasmuch as the motion to amend did not carry--to restate the motion authorizing the president to vote. Is there any more unreadiness on that? There has been a response to a question.

DELEGATE MARCUS: I'd like to speak to the motion. Mr. President, I must go on record as opposing the motion as stated for three reasons. There is no precedent in this convention for making the president a voting member of any standing committee, number one.

Number two, that in fact the president has a traditional role as a liaison. That role would be compromised if the president is a voting member of that committee.

Number three, in fact Delegate Schrag is correct. The law specifically states that there are to be 24 members on the compact commission. In fact, if the president were to be appointed, that would mean that the number of people who could be appointed besides the president would be diminished to 23. If the committee contemplated the appointment of one member to the commission from each ward, Mr. Schrag's point is right again. Which ward will suffer the non-appointment of a particular individual to the commission? I, for one, as a member of Ward 5 would protest that strenuously. I do not want to lose one appointment, nor do I think the delegates from Ward 2 want to lose one appointment to the commission. In fact, the purpose of the commission was to expand the base, the number of people participating in the convention, in the statehood process. Thank you.

PRESIDENT CASSELL: Delegate Maguire.

DELEGATE MAGUIRE: Mr. President, I feel like a lot of this discussion has been a waste of time if we could go back to Jan's earlier point that the original language of the committee that wrote this was the president would be an ex officio member and vote as an ex officio member. And this is a special committee completely responsible to the convention. They can't do anything without the oversight of the convention. So, in my opinion, this whole discussion is completely out of order. The committee wrote adequate languege: an ex officio member.

DELEGATE BALDWIN: Mr. President, at this time the parliamentarian will rule as follows. Number one, this whole discussion is out of order. You are speaking about past action taken. If you want to overturn past action taken, as you know, there would be a motion to reconsider. If you're talking about composition, composition is the ninth item on the agenda. You at this point do not know what the composition of the 24 members would be. I'm sure you realize that. That is a proposal. So, at this point, unless you have a motion to reconsider previous action, then we must move on.

DELEGATE EICHHORN: Mr. President.

PRESIDENT CASSELL: Delegate Harris, would you come back to the table, please.

Would you ask people to come in from the hall so we can conduct an orderly meeting. Either step outside or come inside, please.

Yes, Delegate Eichhorn.

DELEGATE EICHHORN: I originally felt that the president should be a voting member of this committee. The issue was how many slots we could ask each of the wards to give up for specific individuals. It would be possible, when we get to nine, to consider whether we choose to have Ward 8 give up a slot instead of for Mrs. Praither or the president of the convention. I would like to move that we table this motion until we reach item nine, composition.

DELEGATE BALDWIN: I have already ruled it's out of order. That's out of order.

A DELEGATE: Second.

DELEGATE HARRIS: Mr. Chair, I'd like to withdraw my motion and move the amendment as it is.

DELEGATE CORN: Point of order, Mr. President.

DELEGATE JORDAN: Theresa, so you all can hear this, the motion--I mean, the amendment has been withdrawn by Delegate Harris, and she has moved that we adopt section three as it is.

A DELEGATE: Second the motion.

DELEGATE JORDAN: It has been moved and seconded that we accept section three as it has been submitted by the committee.

DELEGATE B. MOORE: Point of information.

PRESIDENT CASSELL: Can we get on? We're going to have a--

DELEGATE CORN: Point of order. Point of order, Mr. Chair.

DELEGATE B. MOORE: Point of information.

PRESIDENT CASSELL: Ladies and gentlemen, before I entertain any more requests for recognition, let me remind you that there is much work to complete today. Let us make an effort to get past this one way or the other. We do have a guest who will be coming in before long. I would not like to have to stay after that to complete our business. All right, I am going to entertain one more point of order. Then I think we had better go ahead.

DELEGATE B. MOORE: Point of order.

DELEGATE CORN: Point of order, Mr. Chair. Point of order, Mr. Chair.

PRESIDENT CASSELL: Delegate Moore.

DELEGATE CORN: There's a special order--

PRESIDENT CASSELL: I am recognizing Delegate Moore. You have been recognized before.

DELEGATE B. MOORE: I'd like to address my statements to Mr. Jordan. It's my understanding that the function of the statehood commission and the statehood compact commission is to educate, advocate, promote, and advance statehood and to conduct a full and complete study of the necessary appropriate legislation. It's also my assumption that a number of delegates will want to be on these two commissions.

PRESIDENT CASSELL: This is a point of order. Would you please state it.

DELEGATE B. MOORE: Yes, it is. Therefore, none of these delegates will have time during the next month. I move to table the motion to consider this until after the 29th of May.

PRESIDENT CASSELL: I recognized you to state a point of order. You have not made a point of order. You are simply arguing with the motion, right? Delegate Corn.

DELEGATE B. MOORE: I move to table. I move to table the motion.

PRESIDENT CASSELL: I am recognizing Delegate Corn, and that's a recognition prior to you.

State your point of order.

DELEGATE CORN: Point of order. Two things. Number one, a point of order does not need to be recognized by the president, according to the rules we passed. Number two, there's a special order on the floor in the last session. Jeannette Feely moved it and it was seconded. And as soon as we had 30 people in this room, we would consider the amendments to the rules. We have reached the 30 in the room. I request therefore respectfully of the president that that special order be carried out. Thank you.

PRESIDENT CASSELL: Oh, that point is very well taken. Of course we wouldn't do it in the midst of a motion. I'm sure you wouldn't mean that. We'll finish this motion, and then we will respond to your request.